

REMARKS

This application has been reviewed in light of the Office Action dated December 28, 2006. Claims 1-40 are presented for examination. Claims 1, 11, 21 and 31, the independent claims, have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

Initially, the Examiner objected to Claims 1, 11, 21 and 31 due to a typographical error (omission of “function” at the end of the paragraph reciting the judging step or means). That word has been inserted, and accordingly, withdrawal of this objection is respectfully requested.

Claims 1-40 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements, such omission allegedly amounting to a gap between the elements.

Applicants submit that the claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in the Office Action, and withdrawal of the rejection under Section 112 is respectfully requested.

Claims 1-3, 6, 8, 10-13, 16, 18, 20-23, 26, 28, 30-33, 36, 38 and 40 were rejected as being anticipated by U.S. Patent 6,173,422 (Kimura). In addition, Claims 4, 5, 14, 15, 24, 25, 34 and 35 were rejected under 35 U.S.C. § 103(a) as being obvious from *Kimura* in view of U.S. Patent 6,415,392 (Suzuki), Claims 7, 17, 27 and 37, as being obvious from *Kimura* in view of U.S. Patent 6,697,962 (McCrorry), and Claims 9, 19, 29 and 39, as being obvious from *Kimura* in view of “Official Notice”.

Independent Claim 1 is directed to an information processing apparatus which is connected to a first local managing apparatus, which diagnoses an apparatus having a first-type function, and a second local managing apparatus, which diagnoses an apparatus having a second-type function that is different from the first-type function. The claimed information processing apparatus comprises means for judging whether trouble that has been reported to the information processing apparatus, is related to an apparatus having the first-type function or a trouble related to the apparatus having the second-type function (more simply said, the judging means judge whether the apparatus in which the trouble is occurring is one that has the first-type or the second-type function). Claim 1 recites that the judging means perform this function based on information selected by a user.

Claim 1 also recites determination means for determining that the first local managing apparatus shall diagnose the predetermined apparatus, if the trouble which has occurred is judged to be a trouble related to the apparatus having the first-type function, and determining that the second local managing apparatus shall diagnose the predetermined apparatus, if the trouble which has occurred is judged to be a trouble related to the apparatus having the second-type function, based on the judgment provided by the judging means. The determining means also determine that the first and second local managing apparatuses shall both diagnose the predetermined apparatus if the judging means cannot judge as to whether the trouble which has occurred in the predetermined apparatus is a trouble related to the apparatus having the first-type function or to the apparatus having the second-type function. Also provided in the claimed apparatus are diagnosis control means for causing one of the first local managing apparatus and the second local managing

apparatus, or both the first and second local managing apparatuses, to perform diagnosis, based on a determination provided by the determination means.

Among other important features of independent Claim 1, therefore, is that the first local managing apparatus diagnoses the predetermined apparatus if the trouble which has occurred in the predetermined apparatus is judged to be a trouble related to the apparatus having the first-type function, the second local managing apparatus diagnoses the predetermined apparatus if the trouble which has occurred in the predetermined apparatus is judged to be a trouble related to the apparatus having the second-type function, and both the first and second local managing apparatuses diagnose the predetermined apparatus if the judging means cannot judge whether the trouble which has occurred in the predetermined apparatus is a trouble related to the apparatus having the first-type function or second-type function.

In contrast, Applicants strongly believe that *Kimura* does not suggest that both the first and second local managing apparatuses perform diagnosis of *one* (i.e., the same) apparatus. There is neither any disclosure of such, nor even a suggestion that this is what is being done in *Kimura*. In particular, Fig.16, and col. 21, lines 29-55, and col. 22, lines 11-18, cited in the Office Action in this regard, are silent as to any such feature.

In *Kimura*, rather, each of the respective room managers 84-86 diagnoses the devices that are located in the rooms managed by that respective room manager. That is, room manager 84 manages devices located in one particular room, to which manager 84 corresponds, while room manager 85 manages only devices in a different room, that manager 85 corresponds to. There is no one device that is capable of being managed by two of the room managers. That means, in a case where is a problem in one device,

diagnosis of the device is performed, in every instance, by the room manager that is responsible for that room. None of the other room managers can ever manage that device, or perform diagnosis of a problem that occurs in that device. Therefore, the mentioned feature of Claim 1 is not, and cannot, be present in *Kimura*. Thus, the Office Action fails to make out even a *prima facie* rejection of Claim 1, and it is believed clear that Claim 1 is allowable over *Kimura*.

The other independent claims are each a method, program or memory-medium claim, respectively, corresponding to apparatus Claim 1, and each is also believed to be allowable over *Kimura* at least for the reasons presented above in regard to Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he is respectfully

requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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